शेयर धारकों के साथ धोखा करने वाली कंपनियों के विरूद्ध कार्यवाही

114. **चौधरी हरमोहन सिंह यादव** : क्या विधि, न्याय और कंपनी कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क)क्या सरकार ने शेयरधारकों के साथ धोखा करने वाली किसी कंपनी के विरूद्ध काई कार्यवाही की हैं;

(ख)यदि हां, तो पिछले तीन वर्षो के दौरान जिन कंपनियों के विरूद्ध कार्यवाही की गई, उनके नाम क्या-क्या हैं; और

(ग)इस प्रकार की कार्यवाही से शेयरधारकों को क्या लाभ हुआ हैं?

विधि, न्याय और कंपनी कार्य मंत्री (श्री एम. थम्बी दुरई) : (क) से (ग) कम्पनी कार्य विभाग में निवेशक संरक्षण सेल है जो मुख्यत: आबंटन/अंतरण के बाद शेयर/डिबेंचर प्रमाणपत्रों के प्राप्त न होने, लाभांश अधिपत्रों, ब्याज के प्राप्त न होने और अदावाकृत लाभांश आदि का भुगतान न किए जाने से संबंधित शिकायतों पर कार्यवाही करता हैं। ऐसी सभी शिकायतें स्वीकार कर ली जाती हैं और पूर्णतया कम्प्यूटरीकृत प्रणाली के माध्यम से तत्काल निपटान के लिए संबंधित कंपनियों के साथ मिलकर कार्रवाई की जाती हैं। पिछले तीन वर्षो के दौरान 39,878 शिकायतें प्राप्त हुई हैं और इनमें 17,504 शिकायतें का निपटान किया गया, इसके अतिरिक्त विभाग ने कम्पनी अधिनिययम, 1956 की धारा 73 (शेयरों एवं डिबेंचरों का आबंटन) तथा धारा 113 (शेयरों के अन्तरण मे विलम्ब) के उल्लंघन के लिए 211 दोषी कंपनियों के विरूद्ध शास्तिक कार्रवाई प्रारम्भ की हैं।

विभाग ने हालके वर्षो में शेयरों के पब्लिक इश्यू के बाद लुप्त हुई कंपनियों से सम्बन्धित कार्रवाई पर निगरानी रखने के लिए एक विशेष सेल का गठन भी किया हें। यह सेल भारतीय प्रतिभूति एवं विनियम बोर्ड के साथ निकट समन्वय से कार्य करेगा।

Setting up of permanent Lok Adalats

115. SHRI SANJAY NIRUPAM: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether setting up of permanent Lok Adalats has been ordered by the Delhi High Court;

(b) whether Government have considered the remifications/benefits of setting up these Adalats; and

(c) if so, the details thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a)The Delh High Court has recently issued directions to the Delhi State Legal Services Authority for establishing permanent and continuous Lok Adalats in Delhi Vidyut Board, Delhi Administration, Delhi Development Authority, Mahanagar Telephone Nigam Ltd., Municipal Corporation of Delhi, New Delhi Municipal Committee and General Insurance Corporation of India.

(b) and (c) The National Legal Services Authority at its first meeting held on 13.9.1997 decided to set up permanent and continuous Lok Adalats at every distrcit. The progress with regard to the setting up of permanent & continuous Lok Adalats was reviewed at the First Annual Meet of the State Legal Services Authorities held under the aegis of the National Legal Services Authority at New Delhi on 12.9.1998 wherein it was resolved that permanent and contiuous Lok Adalats may be established in all the districts in the country at the earliest for providing an additional forum to the litigants for conciliatory settlement of their disputes to relieve some burden from the regular courts. The Meet further adopted a resolution recommending that the Central Government should impress upon all the Departments of the Central Government/State Governments and Public Sector Undertakings to refer as many cases as possible to Lok Adalats for conciliatory settlement and to also examine the feasibility of establishing separate Lok Adalats. Matters at pre- litigative stage could also be settled through Lok Adalats.

Supreme Court and High Court Judges from the weaker sections

116. SHRI AMAR SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what is the number of High Court and Supreme Court Judges at present and how many of them belong to the weaker sections of the society; and

(b) whether Government have finally decided for non-representation of the Scheduled Castes, Scheduled Tribes and Other

Backward Classes in the higher echelons of judiciary and if so, what are the reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (b) As on 15.2.1999 there were 25 Judges in the Supreme Court of India and 442 Judges/ Additional Judges in position in various High Courts of the country.

There being no reservation in the matter of appointment of Judges of the Supreme Court and the High Courts on the basis of caste or class of persons, information is not maintained separately for caste or class etc. The Government have, however, addressed letters to the Chief Ministers of the States and the Chief Justices of the High Courts from time to time requesting them to locate suitable persons from the Bar belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and Women for appointment as High Court Judges.

Proposals for creation of Legislative Councils in States

117. DR. ARUN KUMAR SARMA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the States where Legislative Councils are functioning at present and since when;

(b) the States from which proposals for creation of Legislative Councils has been received by the Ministry;

(c) the present status of such proposals;

(d) whether there is any such proposal from the Government of Assam in this regard; and

(e) if so, by when the same would be given effect to?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) The requisite information is being collected and would be laid on the Table of the House.

(b) to (e) The proposals for revival/ creation of Legislative Councils have been received from the States of Punjab, Tamil Nadu and Assam. No decision has yet been taken in the matter.

National Judicial Academy

118. SHRI SHIBU SOREN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Government are contemplating to form National Judicial Academy soon;

(b) if so, the details of its aim and objectives, its constitution, membership, power, etc.; and

(c) by what time the same would be established?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (c) The Government has set up a National Judicial Academy, which is registered as a Society, with effect from August 17, 1993. The Academy is located at Bhopal in Madhya Pradesh with its registered office at New Delhi. The complex of the Academy, which is under construction, is expected to be completed by December, 1999. The Academy, which is at present functioning on a limited basis from its registered office in New Delhi, will become fully operational after the construction of its complex is completed and the requisite officers and staff are in position.

(b) The membership of the Academy is confined to the Chief Justice of India (ex-officio chairman), two puisne judges of the Supreme Court of India, Chief Justice of a High Court, one Judge of another High Court and two law academics. Secretaries to the Government of India in the Department of Justice, Department of Legal Affairs, Department of Personnel & Training, Department of Expenditure and Registrar General, Supreme Court of India are its ex-officio members.

The aim and objectives of the Academy, *inter-alia,* include providing training and continuing education to Judicial Officers of States/UTs as well as to the ministerial officers of Supreme Court of India, conduct of study and research in matters relating to court management and administration of justice including publication of papers, books, journals in this regard, to organise conferences, seminars and lectures, to enhance the